

CALIFORNIA DEPARTMENT OF EDUCATION

**CONTACTS FOR PROGRAMS AND SERVICES COVERED UNDER THE
UNIFORM COMPLAINT PROCEDURES**

Program	Contact	Telephone
Adult Education	Jean Scott	(916) 323-5074
Career Technical Education	Al Tweltridge	(916) 327-5711
Child Development, including the following: Alternative Payment Protective Services Campus Resource and Referral County Welfare School-Age (Latchkey) Exceptional Needs School-Age Parent General Severely Handicapped Family Child Care Homes State Preschool Migrant	Terry Miller	(916) 323-1306
Consolidated Categorical Aid, including the following: Economic Impact Aid – State Compensatory Education (EIA/SCE) Economic Impact Aid – State Program for Students of Limited English Proficiency (EIA/LEP) No Child Left Behind (Titles I – VI) School Improvement Tenth-grade Counseling Tobacco-Use Prevention Education (TUPE) Peer Assistance and Review (PAR) School Safety and Violence Prevention Act	Categorical Programs Complaints Management Unit	(916) 319-0929
Indian Education	Manuel Alfaro	(916) 319-0389
Migrant Education	Manuel Alfaro	(916) 319-0389
Nutrition Services	Eva Lopez-Contreras	(916) 445-5008
Special Education	Procedural Safeguards Referral Services Unit	(800) 926-0648
Service	Contact	Telephone
Nondiscrimination Requirements and Civil Rights Guarantees, Office of Equal Opportunity	Sharon Felix-Rochon	(916) 445-9174

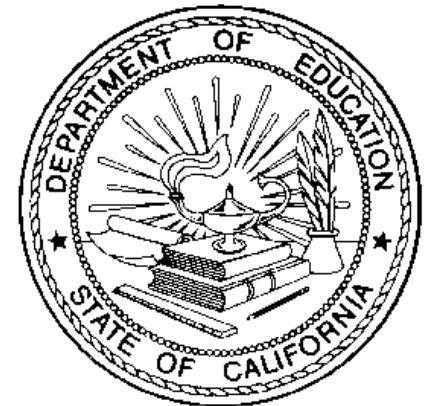
For additional general information on uniform complaint procedures, contact the Categorical Programs Complaints Management Unit, California Department of Education, School and District Accountability Division, 1430 N Street, Sacramento, CA 95814-5901; telephone (916) 319-0929, or visit our Web site at <http://www.cde.ca.gov/ccpdiv>.

January 2004

Uniform Complaint Procedures

Authorized by

*California Code of Regulations,
Title 5, Sections 4600 – 4671*



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Uniform Complaint Procedures

What are the responsibilities of the complainant?

The complainant:

- Receives complaint procedures from the local agency (LA).
- Files a written complaint and follows the steps in the local complaint procedures.
- May appeal within 15 days to the California Department of Education (CDE) for resolution if he or she is dissatisfied with the decision of the LA.
- May appeal within 35 days to the State Superintendent of Public Instruction if he or she is dissatisfied with the determination of the CDE.

What are the responsibilities of the local agency?

The local agency:

- Ensures compliance with applicable federal and state laws and regulations.
- Designates a staff member to be responsible for complaint resolution.
- Adopts complaint policies and procedures consistent with the *California Code of Regulations, Title 5, Sections 4600 – 4671*.

- Notifies, at least annually, parents, employees, committees, students, and other interested parties of local complaint procedures, including the opportunity to appeal the agency's decision. The notice must also advise recipients of any civil law legal remedies that may be available. The notice must be (a) in English; (b) in the primary language of the students when 15 percent or more of the students in a school speak that language; or (c) in the mode of communication of the recipient of the notice.
- Protects complainants from retaliation.
- Implements the following procedures:
 1. Any individual, public agency, or organization alleging a violation of federal or state statutes **may** file a written complaint regarding specific programs with the LA.
 2. Discrimination complaints **must** be filed with the LA or CDE by a person harmed or by a person on behalf of others. These complaints must be filed no later than six months from the occurrence or when they are first acknowledged. The LA and the CDE must protect the confidentiality of the parties and the facts related to the case.
- Resolves the complaint through mediation or investigation and completes a written report within 60 days of receipt of a complaint. The LA must give the filing party an opportunity to present evidence relevant to the complaint. The LA must also advise the complainant regarding rights of appeal to CDE within 15 days of receipt of the LA written report.
- Submits, on notification of an appeal, the following to CDE:
 1. The original complaint
 2. A copy of the LA decision
 3. A summary of the nature and extent of the mediation or investigation conducted by the local agency if not covered in the LA decision

4. A report of any action taken to resolve the complaint
 5. A copy of the LA complaint procedures
 6. Other relevant information that the State Superintendent may require.
- May appeal within 35 days to the State Superintendent of Public Instruction if the LA or complainant is dissatisfied with the decision of the CDE.

What are the responsibilities of the California Department of Education?

The California Department of Education:

- Keeps a file for every written complaint received.
- Refers each complaint to the LA for resolution when appropriate.
- Requests a report of the LA's action when appropriate.
- Conducts a mediation or investigation when:
 1. The LA fails to act within 60 days or an agreed-upon time line
 2. A complainant appeals a LA decision
 3. The Department determines that direct intervention is necessary
- Requires corrective action by the LA concerning compliance issues identified through investigations of complaints.
- Provides technical assistance to correct compliance issue.